



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,791	11/13/2000	Srikrishna Talluri	BUO 0101 PUS	7186
22045	7590	11/23/2005		
BROOKS KUSHMAN P.C. 1000 TOWN CENTER TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075			EXAMINER TRAN, QUOC A	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/711,791	Applicant(s) TALLURI, SRIKRISHNA	
	Examiner Quoc A. Tran	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 25-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 and 25-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: filed 09/19/2005, with acknowledgement of original filing date of 11/13/2000.
2. Claims 1-23 and 25-41 are currently pending in this application. Applicant previously canceled claim 24. Claims 1, 13, 25-26, 30, and 35 are independent claims.

Response to Argument

3. In view of the Appeal Brief filed on 09/19/2005, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193 (b) (2).

Applicant's arguments, in the filed Appeal Brief on 08/09/2005 with respect to claim 1-23 and 25-41 have been considered but are moot in view of the new ground(s) of rejection. This office action is a Non-Final Rejection in order to give the applicant sufficient opportunity to response to the new line of rejection.

Regarding to Applicant's arguments directed toward claims (i.e. dependent claims 11-12 and 18-19). It is noted, that Clark et al, fairly teach and/or suggest the claims' limitations.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 11 and 22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims invention set forth non-functional descriptive material but fails to set forth physical structures or materials comprising of hardware or a combination of hardware and software within the technological arts (i.e. a computer) to produce a "useful, concrete and tangible" result and fails to set forth to be a process, machine, manufacture, or composition of matter. In addition, claims 11 and 18 reciting only a paper book (e.g. a conventional book, which made by paper) per se does not appear to be a process, machine, manufacture, or composition of matter (e.g. a claimed invention complies with the statutory invention requirements of 35 U.S.C. § 101, whether the claim falls within at least one of the four enumerated categories of patentable subject matter recited in section 101 (process, machine, manufacture or composition of matter).

Regarding claims 12 and 23, are rejected for fully incorporating the dependencies of their respective base claims.

Clarification and/or correction are required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-10, 13-21 and 25-41** are rejected under 35 U.S.C. 103(a) as being unpatentable by Ball et al. – US 20020120648A1 – continuation of 08/549,359 - filed- 10/27/1995 (hereinafter Ball '648), in view of Chen et al. US006625624B1 - filed 12/30/1999 (hereinafter Chen '624).

In regard to independent claim 1, a first communications device connected to the Internet, wherein an author of a manuscript uses the first communications device to transfer identification of reference material cited by the author in the bibliography of the manuscript to the internet, wherein the cited reference material includes a web site and the identification includes identification of the web site (Ball '648 at page 2 paragraphs [0030]-0033], also see Fig. 1-2, provides a pointing device from a user to retrieve and display information using hypertext and URL (Universal Resource Locator) in the WWW (World Wide Web), wherein a page contain referenced to other pages or documents) Examiner read the above in the broadest reasonable interpretation, wherein a first communications device, a manuscript, reference material cited by the author in the bibliography of the manuscript to the internet and identification of the web site would have been an obvious variant of pointing device from a user to retrieve and display information using hypertext and URL (Universal Resource Locator) in the WWW (World Wide Web), wherein a page contain referenced to other pages or documents, to a

Art Unit: 2176

person of ordinary skill in the art at the time the invention was made, in such a communication devise is inherently discloses here as an essential part of the a pointing device that operating by user to communicate bi-directional (e.g. requested and/or retrieved and/or displayed) in the WWW (World Wide Web) or Internet.

a second communications device connected to the Internet, wherein an audience of the manuscript uses the second communications device to request and receive a copy of the reference material cited by the author in the manuscript from the Internet (Ball '648 at page 2 paragraphs [0030]-0033], also see Fig. 1-2, provides a pointing divide from a user to retrieve and display information using hypertext and URL (Universal Resource Locator) in the WWW (World Wide Web), wherein a page contain referenced to other pages or documents) Examiner read the above in the broadest reasonable interpretation, wherein a first communications device, a manuscript, reference material cited by the author in the bibliography of the manuscript to the internet and identification of the web site would have been an obvious variant of pointing divide from a user to retrieve and display information using hypertext and URL (Universal Resource Locator) in the WWW (World Wide Web), wherein a page contain referenced to other pages or documents, to a person of ordinary skill in the art at the time the invention was made, in such a communication devise is inherently discloses here as an essential part of the a pointing device that operating by user to communicate bi-directional (e.g. requested and/or retrieved and/or displayed) in the WWW (World Wide Web) or Internet, also (Ball '648 at page 2 paragraph [0048] through page 3 paragraph [0071], the same method for uses by single and/or multiple users discloses).

and a database connected to the Internet, wherein the database receives a copy of the web site from the Internet in response to the author transferring the web site identification to the Internet such that the copy of the web site received by the database is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet, wherein the database stores the copy of the web site (Ball '648 at page 2 paragraphs [0030]-0047], also see Fig. 1-2, provides a pointing divide from a user to retrieve and display information using hypertext and URL (Universal Resource Locator) in the WWW (World Wide Web), wherein a page contain referenced to other pages or documents). After a user of the WWW initially identifies paged of interest, wherein these selected pages form a "hot list", then copies the hot-listed pages into an archive, which is a storage location separate from the WWW, and under independent control. After the copying, the original pages continue to reside in the WWW, and copies reside in the archive) Examiner read the above in the broadest reasonable interpretation, wherein a database connected to the Internet, the database stores the copy of the web site would have been an obvious variant of copies the hot-listed pages into an archive, which is a storage location separate from the WWW but connected to the WWW (e.g. After the copying, the original pages continue to reside in the WWW, and copies reside in the archive) , to a person of ordinary skill in the art at the time the invention was made.

Ball '648 does not explicitly teach, **and transfers a copy of the stored copy of the web site to the audience via the internet the second communications device in response to receiving a request from the audience for a copy of the web site whereby the copy of the web site received by the audience is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet, however** (Chen '624 at col.

Art Unit: 2176

10 lines 30-67, disclose an information access system and method for archiving web pages, wherein a first interface for establishing a document serving protocol channel to the server; a second interface for establishing a second document serving protocol channel to the client browser; a storage device for archiving documents; a processor adapted to:

(i) receive a first request from the client browser for one or more documents on the server,

(ii) retrieve the documents from the server,

(iii) store the documents on the storage device,

(iv) associate the stored documents with date information indicating when the documents were retrieved from the server,

(v) sending the documents to the client browser,

(vi) receive at a later time a second request from the client browser wherein the request contains an archive directive,

(vii) parse the second requests for an archive directive, and,

(viii) where the requests contain an archive directive requesting an archived copy of the one or more documents and specifying an archival date or a range of archival dates,

(a) access the storage devices,

(b) search for date information associated with documents stored on the storage device that match the archival date specified in the request,

(c) if there is matching date information, retrieving the documents from the storage device associated with the date information and sending the retrieved documents to the client browser, and

(d) if there is more than one matching date information, sending a list of archived documents with associated matching date information to the client browser.

Examiner read the above in the broadest reasonable interpretation, wherein transfers a copy of the stored copy of the web site to the audience via the internet would have been a various variant of (v) sending the documents to the client browser, the second communications device in response to receiving a request from the audience for a copy of the web site whereby the copy of the web site received by the audience is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet would have been a various variant of steps (vi) (vii) parse the second requests for an archive directive, viii) (a) access the storage devices, (b) search for date information associated with documents stored on the storage device that match the archival date specified in the request, (c) if there is matching date information, retrieving the documents from the storage device associated with the date information and sending the retrieved documents to the client browser, and (d) if there is more than one matching date information, sending a list of archived documents with associated matching date information to the client browser, to a person of ordinary skill in the art at the time the invention was made.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ball '648, discloses a first and second communications device connected to the Internet, wherein an author of a manuscript uses the first communications device to transfer identification of reference material cited by the author in the bibliography of the manuscript to the internet, wherein the cited reference material includes a web site and the identification includes identification of the web site and wherein an audience of

Art Unit: 2176

the manuscript uses the second communications device to request and receive a copy of the reference material cited by the author in the manuscript from the Internet and a database connected to the Internet, wherein the database receives a copy of the web site from the Internet in response to the author transferring the web site identification to the Internet such that the copy of the web site received by the database is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet, wherein the database stores the copy of the web site, to include a means of transfers a copy of the stored copy of the web site to the audience via the internet the second communications device in response to receiving a request from the audience for a copy of the web site whereby the copy of the web site received by the audience is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet of Chen '624. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages to enable users to retrieve and search through old information--even after the original information has evolved or disappeared from the original server (as taught by Chen at col. 1, lines 40-55).

In regard to Independent claim 13, incorporate substantially similar subject matter as cited in claim 1 above and are similarly rejected along the same rationale.

In regard to independent claim 25, incorporate substantially similar subject matter as cited in claims 1 and 13 above and further view of the following and is similarly rejected along the same rationale, Examiner read the above in the broadest reasonable interpretation, wherein an immutable copy would have been a various variant of verbatim copy discloses in claim 1 above, and further view of the following,

if the reference material is not available, the database transmits a copy of the reference material availability information to the audience in response to receiving a request from the audience for a copy of the reference material (Ball '648 at page 2 paragraph [0048] through page 3 paragraph [0071], also see Fig. 3-5, provides a method for uses by single and/or multiple users, wherein the preliminary check either by date of modification or checksum, if represents changes and contains material are not present in the base then provide the solution to users detailing in paragraphs [0059]-[0065]).

Ball '648 does not explicitly teach, **and a distinctive key associated with the copy of the reference material and the reference material availability information**, however (Chen '624 at col. 1 line 55 through col. 2 line 15, disclose an information access system and method for archiving web pages, wherein adding the information to a storage repository, searching and retrieving the information from the storage repository, wherein information can be easily indexed by a timestamp) Examiner read the above in the broadest reasonable interpretation, wherein a distinctive key associated with the copy of the reference material would have been a various variant of indexed by a timestamp, to a person of ordinary skill in the art at the time the invention was made

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ball '648, discloses a first and second communications device connected to the Internet, wherein an author of a manuscript uses the first communications device to transfer identification of reference material cited by the author in the bibliography of the manuscript to the internet, wherein the cited reference material includes a web site and the identification includes identification of the web site and wherein an audience of

Art Unit: 2176

the manuscript uses the second communications device to request and receive a copy of the reference material cited by the author in the manuscript from the Internet and a database connected to the Internet, wherein the database receives a copy of the web site from the Internet in response to the author transferring the web site identification to the Internet such that the copy of the web site received by the database is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet, wherein the database stores the copy of the web site, to include a distinctive key associated with the copy of the reference material and the reference material availability information of Chen '624. One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages to enable users to retrieve and search through old information--even after the original information has evolved or disappeared from the original server (as taught by Chen at col. 1, lines 40-55).

In regard to Independent claims 26, 30 and 35, incorporate substantially similar subject matter as cited in claims 1 and 13 above and are similarly rejected along the same rationale.

In regard to dependent claims 2, 6, 9, 10, 20, 34 and 36, incorporate substantially similar subject matter as cited in claims 1 and 13 above, and in view of the following, and are similarly rejected along the same rationale,

reference material store as a digital file (Ball '648 at page 4 paragraphs [0083]-[0087], disclose the data storage architecture, wherein the "hot list" pages (e.g. hyper text link, URLURL and web pages), one definition of "page" is that it refers to a unit of data (e.g. files and "documents"), stored in a system wherein accessible by computers) Examiner read the above in the broadest reasonable interpretation, wherein a digital file would have been a various variant of

Art Unit: 2176

“page” is that it refers to a unit of data (e.g. files and “documents”), stored in a system wherein accessible by computers, to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claims 3, 4-5, 14-17, 27-29, 31-33 and 37-41, incorporate substantially similar subject matter as cited in claims 1, 13 and 25 above, and are similarly rejected along the same rationale.

In regard to dependent claim 7-8 and 18-19, incorporate substantially similar subject matter as cited in claims 1 and 13 above, and in view of the following, and are similarly rejected along the same rationale, **includes an email** (as taught Ball ‘648 at pages 6-7 paragraphs [00133]).

In regard to dependent claim 21 incorporate substantially similar subject matter as cited in claims 13 and 20 above, and are similarly rejected along the same rationale.

7. **Claims 11-12, and 22-23** are rejected under 35 U.S.C. 103(a) as being unpatentable by Ball et al. – US 20020120648A1 – continuation of 08/549,359 - filed- 10/27/1995 (hereinafter Ball ‘648), in view of Chen et al. US006625624B1 - filed 12/30/1999 (hereinafter Ball ‘648), in further view of Clark et al. US 20020152215A1 - provisional No. 60/243,259 - filed Oct. 25, 2000 (hereinafter Clark ‘215).

In regard to dependent claims 11 and 22, Ball ‘648 and Ball ‘648 do not explicitly teach **the reference material cited by the author in the manuscript further includes a paper book**, however (as taught by Clark ‘215 at page 5 paragraph [0069], discloses server (item 210)

provides a web-site that enables consumers and/or publishers to request electronic books or "print-on-demand" hard copies).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ball '648, discloses a first and second communications device connected to the Internet, wherein an author of a manuscript uses the first communications device to transfer identification of reference material cited by the author in the bibliography of the manuscript to the internet, wherein the cited reference material includes a web site and the identification includes identification of the web site and wherein an audience of the manuscript uses the second communications device to request and receive a copy of the reference material cited by the author in the manuscript from the Internet and a database connected to the Internet, wherein the database receives a copy of the web site from the Internet in response to the author transferring the web site identification to the Internet such that the copy of the web site received by the database is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet, wherein the database stores the copy of the web site, to include a distinctive key associated with the copy of the reference material and the reference material availability information of Chen '624, further includes a paper book of Clark '215 . One of ordinary skill in the art would have been motivated to modify this combination to provide the advantages to enable users to retrieve and search through old information--even after the original information has evolved or disappeared from the original server (as taught by Chen at col. 1, lines 40-55).

Art Unit: 2176

In regard to dependent claims 12 and 23, incorporate substantially similar subject matter as cited in claims 13, and 20-22 above and further view of the following and is similarly rejected along the same rationale;

in response to the database receiving a request for a copy of electronic scan copy of the paper book from the audience (as taught by Clark '215 at page 5 paragraph [0036], discloses a hard copy for scanning or other conversion into electronic form (e.g. digital type)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Ball '648, discloses a first and second communications device connected to the Internet, wherein an author of a manuscript uses the first communications device to transfer identification of reference material cited by the author in the bibliography of the manuscript to the internet, wherein the cited reference material includes a web site and the identification includes identification of the web site and wherein an audience of the manuscript uses the second communications device to request and receive a copy of the reference material cited by the author in the manuscript from the Internet and a database connected to the Internet, wherein the database receives a copy of the web site from the Internet in response to the author transferring the web site identification to the Internet such that the copy of the web site received by the database is verbatim to the web site as on the internet at the time the author transferred the web site identification to the internet, wherein the database stores the copy of the web site, to include a distinctive key associated with the copy of the reference material and the reference material availability information of Chen '624, further include a means of response to the database receiving a request for a copy of electronic scan copy of the paper book from the audience of Clark '215 . One of ordinary skill in the art would have been

Art Unit: 2176

motivated to modify this combination to provide the advantages to enable users to retrieve and search through old information--even after the original information has evolved or disappeared from the original server (as taught by Chen at col. 1, lines 40-55).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 9 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R. Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran
Patent Examiner
Technology Center 2176

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/19/2005

Application/Control Number: 09/711,791

Page 16

Art Unit: 2176

November 18, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/19/2005